

To: Reeves, Bruce@DOC[Bruce.Reeves@conservation.ca.gov]
From: Moffatt, Brett
Sent: Wed 9/24/2014 6:28:21 AM
Subject: RE: Confidential wells; new lawsuit

Bruce,

Thanks for getting back to me on the well data question, and for the copy of the Hathaway petition. I noticed they do not allege any statutory requirement for DOGGR to act on the permit application within a particular timeframe.

I will give you an estimate of when we expect to have the documents ready as soon as I can. We have very limited admin resources to handle projects like this.

Brett

Brett Moffatt

US EPA, Region 9

(415) 972-3946

From: Reeves, Bruce@DOC [mailto:Bruce.Reeves@conservation.ca.gov]
Sent: Tuesday, September 23, 2014 3:30 PM
To: Moffatt, Brett
Cc: St. Michel, Graham@DOC; Findley, Timothy@DOC
Subject: UIC: Confidential wells; new lawsuit

Brett:

Got your voicemail. Sorry for the delay.

My understanding is that it is nearly impossible to have a confidential well into a non-hydrocarbon producing zone. By nature, confidential wells are to protect the operator's work and information to produce hydrocarbons. I don't believe we would ever approve a request for a confidential status for an injection well injecting into a non-hydrocarbon producing zone, hence none should have shown up on the list provided.

In other news, Hathaway LLC has just filed suit seeking to compel us to grant an injection permit into one of the 1985 aquifers. They filed their application in November of last year, but we haven't acted on it. They allege the target zone was "confirmed" by USEPA to be exempt in the 1985 Frank Covington letter.

A copy of the writ petition is attached. Let me know if you have any questions.

Might we be expecting any documents from you on the 1985 letter question any time soon?

Bruce Reeves

Chief Counsel

Department of Conservation

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